

MINUTES OF THE CITY OF LAS VEGAS HOUSING AUTHORITY WORK SESSION MEETING HELD ON WEDNESDAY FEBRUARY 14, 2018 AT 4:30 P.M. IN THE CITY COUNCIL CHAMBERS.

**MADAM CHAIR:** Tonita Gurulé-Girón

**COMMISSIONERS:** David Romero  
Vince Howell  
Ember Davis 4:33pm  
Barbara Casey  
David Ulibarri Jr. 4:42pm

**ALSO PRESENT:**

Barbara Padilla, Interim Housing Director  
David Silva, Acting City Attorney

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Madam Chair Gurulé-Girón asked Commissioner Vince Howell to offer the moment of silence. Commissioner Howell offered a moment of silence saying he would like for us all to keep in mind the families from the major tragedy that happened in Florida (school shooting). Pray for the families. There are really a lot of sorrows that are happening there. Please keep their families in mind.

**APPROVAL OF AGENDA**

Commissioner Barbara Casey made a motion to approve the agenda as is presented. Commissioner David Romero seconded the motion.

Madam Chair Gurulé-Girón asked for a roll call. Roll call was taken and reflected the following.

Commissioner Barbara Casey	Yes
Commissioner David Romero	Yes
Commissioner Vince Howell	Yes
Commissioner David Ulibarri Jr.	Not Present
Commissioner Ember Davis	Not Present

Barbara Padilla re-read the motion and advised the motion carried.

**PUBLIC INPUT**

None at this time.

**DISCUSSION ITEMS**

1. Resolution No. 18-11 to adopt the City of Las Vegas Housing Authority's Crime Free Policy for Residents Living in Public Housing. Interim Director Barbara Padilla stated, the Las Vegas Housing Authority (LVHA) is required to adhere to all Federal Regulations and Notices Published regarding Public Housing. Compliance Monitoring Review, Finding #12 states: "The LVHA policy to deny applicants for drug-related criminal activity is out of date. The policy references the One Strike rule, which was replaced in 1998. Questions on the application for admission and recertification cover use of illegal drugs, but omit questions about the presence of sex offenders

in the household". As a corrective action, the CLVHA would like to adopt the "Crime Free Policy" for Residents Living in Public Housing.

Interim Director Padilla stated the policy is included in the packets. This policy does adhere to the guidelines suggested.

Commissioner Howell asked Interim Director Padilla asked if being a sex offender is a felony. Interim Director Padilla stated she believes it is a felony and this policy addresses lifetime sex offenders, who get a lifetime ban. Commissioner Howell asked if we could ask if they have been convicted of a felony. Interim Director Padilla stated that the HA does currently ask that question on the application, but it did not include the wording asking about sex offenders.

Commissioner Howell asked acting City Attorney, David Silva if he had reviewed the policy. Mr. Silva stated yes, he reviewed it and it does follow all HUD and CFR requirements.

Madam Chair Gurulé-Girón asked, what is the pleasure of the Commission. Commissioner Barbara Casey stated, consent agenda.

2. Resolution No. 18-02 to adopt the City of Las Vegas Housing Authority's Non-Smoking Policy for Residents Living in Public Housing. Natasha Martinez-Padilla, Finance Specialist stated that last month the HA did bring the smoke free policy to the Commission. There were some changes that were requested and those changes have been made. In speaking with legal counsel and based off of liabilities, a few other changes have been made as well. Mrs. Martinez-Padilla stated that in the packets, the commissioners will find the "Smoke Free" Policy.

Commissioner Barbara Casey asked if this also covers one of the findings in the Compliance Monitoring Review. Mrs. Martinez-Padilla stated no, this does not cover those findings, but does prevent further findings because of a notice that came out in February, 2017 that needs to be adhered to by April of this year.

Commissioner Vince Howell asked if the HA addressed Medical Marijuana smoking. Mrs. Martinez-Padilla stated, it is not allowed in Public Housing. Discussion commenced regarding previous notices about Medical Marijuana.

Commissioner Howell asked, so they can smoke so many feet away from the Housing Units. Mrs. Martinez-Padilla stated no, the policy states curb to curb, meaning the entire Housing Properties. The reason for this is because 25 feet from one unit, could be at the neighbors front step, or in the parking lot. This would increase the liability if a driver strikes someone sitting in the middle of the parking lot because it may be 25 feet from the unit. The HA felt, in the best interest of the HA it is best to do a full non-smoking property.

Commissioner David Romero asked if this means all around the surroundings of the Housing. Mrs. Martinez-Padilla stated if it is off of Housing Property, they can smoke there. Discussion ensued regarding issues that could occur if smoking was allowed 25 feet from the units, as well as cost savings for maintenance on non-smoking properties.

Commissioner Howell asked, before this non-smoking policy was started, were the residents allowed to smoke. Mrs. Martinez-Padilla stated, yes they were. She explained that before this policy was created, the HA did a survey of PHA residents and it was found that 74% of residents did not want smoking to be permitted on PHA Property.

Commissioner Howell asked, what are the disciplinary actions for tenants found smoking on Housing Property. Interim Director Padilla stated that the "Non-Smoking" Policy, which all residents will be required to sign,

informs residents that it will be a progressive warning notice. Residents will be issued three (3) warning notices, after which eviction may be pursued, in accordance with the residential lease agreement.

Madam Chair Gurulé-Girón asked, what is the pleasure of the Commission. Commissioner Barbara Casey stated, consent agenda.

Madam Chair Gurulé-Girón wanted it stated for the record that Commissioner Ulibarri Jr. had arrived (4:42pm).

3. Resolution No- 18-03 Amending the Las Vegas Housing Authority's Residential Lease Agreement. Interim Director Padilla stated, the CLVHA is required to adhere to all Federal Regulations and Notices Published regarding Public Housing. The LVHA must include the policy's being updated in the Residential Lease Agreement to include the Crime Free Policy and the Non-Smoking Policy. Interim Director Padilla informed the Commission that this resolution is to include the previously discussed resolutions, in our current Lease Agreement.

Madam Chair Gurulé-Girón asked, what is the pleasure of the Commission. Commissioner Vince Howell and Commissioner Barbara Casey stated, consent.

4. Resolution No. 18-12 to Amend the CLVHA's Admissions and Continued Occupancy Policy (ACOP), to include Crime Free Requirements for Resident's Living in Public Housing. Natasha Martinez-Padilla presented this resolution stating, the CLVHA is required to adhere to all Federal Regulations and Notices Published regarding Public Housing. Compliance Monitoring Review, Finding #12 states: "The LVHA policy to deny applicants for drug-related criminal activity is out of date. The Policy references the One Stroke rule, which was replaced in 1998". As part of a corrective action, the CLVHA would like to amend the LVHA's ACOP Chapter 13.

Madam Chair Gurulé-Girón asked, what is the pleasure of the Commission. Commissioner David Ulibarri Jr. stated, consent.

5. Resolution No. 18-10 to adopt the Las Vegas Housing Authority's Income Targeting Requirements Policy and Procedures. Interim Director Padilla stated that the CLVHA is required to abide by Federal Regulatory Requirements. 24 CFR 906.202(b) requires that Extremely Low-Income (ELI) families make up at least 40% of the families admitted to Public Housing during the LVHA's fiscal year. As a corrective action for Compliance Monitoring Review, Finding #18, the LVHA has developed policy and procedure for Income Targeting Requirements.

Madam Chair Gurulé-Girón asked, what is the pleasure of the Commission. Commissioner Barbara Casey stated, consent.

6. Resolution No. 18-08 to adopt the City of Las Vegas Housing Authority's Utility Allowance Schedule. Natasha Martinez-Padilla stated, the Las Vegas Housing Authority is relied upon for an annual review to establish a utility allowance schedule for tenant paid utilities. She stated, in the Commissioners packets, they have the utility allowance schedule that the HA would like to implement, February, 2018. Mrs. Martinez-Padilla explained how rents are calculated including the utility allowance.

Madam Chair Gurulé-Girón asked, what is the pleasure of the Commission. Commissioner David Ulibarri Jr. stated, consent.

7. Resolution No. 18-09 to adopt the City of Las Vegas Housing Authority's Flat Rent Schedule for Residents Living in Public Housing. Natasha Martinez-Padilla stated, the LVHA is required to adhere to all Federal Regulations and Notices Published regarding Public Housing. Compliance Monitoring Review, Finding #17 states: "Tenants must be offered the opportunity to choose between the current flat rent established

according to HUD regulations, and the income based rent at each annual recertification (The flat rent rate was last updated 2014)". As a corrective action, the CLVHA would like to adopt the 2018 Flat Rent Schedule.

Madam Chair Gurulé-Girón asked, what is the pleasure of the Commission. Commissioner Vince Howell stated, consent.

8. Replacement Housing Factor Funds (RHFF) 2016 and 2017. Natasha Martinez-Padilla stated that the LVHA would like to obligate the 2016 and 2017 RHFF by utilizing them to do construction services on the sagebrush site. These funds can only be used for construction of buildings. Compliance Monitoring Review, Finding #15 states: "The 2016 Capital Fund and Modernization grant and Replacement Housing Factor fund grant obligation deadline is only 4 months away (3 ½), and steps have not been taken by the Board and ED to ensure these funds are obligated". As a corrective action, the CLVHA would like to adopt the 2016 and 2017 Budgets to start the procurement process for obligation certainty.

Commissioner Barbara Casey asked to clarify if this would cover finding #15 and asked about the years. Mrs. Martinez-Padilla stated, yes, this will correct that finding. She explained that the way the grants are given, is that they are given a year at a time. The amounts given do not give the HA enough money to do the projects we would like, so what the HA is doing is combining the two. Even though it's just the 2016 that needs to be obligated in 3 ½ months, the HA would like to obligate them both right away so we do not lose the grant and we can combine them and spend them together.

Commissioner Vince Howell asked for clarification on the construction services on Sagebrush, asking, was that already in the plans. Mrs. Martinez-Padilla stated, yes it was already in the plans. She explained that Sagebrush is not the street, but the site, which includes, Yucca, Cholla, and Sandoval. Since it was in the plans, we can do construction there. The HA has already started with the Capital Fund money, by testing the units for lead based paint and asbestos, as well as getting them ready for the rehabilitation to get them housed. Commissioner Howell asked if the finding was stating that we had not encumbered the funds. Mrs. Martinez-Padilla stated, yes. Commissioner Howell asked if there was a reason why we had not encumbered the funds. Mrs. Martinez-Padilla stated they had to be specific to construction.

Commissioner Barbara Casey asked Madam Chair Gurulé-Girón if she could ask for an update on the Compliance Monitoring Review. Madam Chair Gurulé-Girón stated she will allow it even though it is not on the agenda.

Interim Director Barbara Padilla stated she does have an update for the findings. She stated that the HA is cooperating with the HUD field office to ensure that what is needed to be in compliance is what is being worked on and what is submitted to HUD. Interim Director Padilla stated she can report on finding's number 1, 4, 10, 12, 14, 15, 16, 17 and 18. Commissioner Casey stated that is not necessary but asked how many of the findings have been completed and are ready to go. Interim Director Padilla stated, nine. Madam Chair Gurulé-Girón asked Mrs. Padilla if she could provide a copy of her report on the findings to the Commissioners. She stated that she had provided the report to the Administrative Assistant, Desaree, who she believes provided a copy to the Commissioners.

Interim Director Padilla wanted to reiterate her invitation to the Commissioners, whoever would like help in signing up for the Lead the Way Training. The HA does have an available office and workstation for their use. She stated she has also called and emailed all the Commissioners and they are more than welcome to come to the Housing office.

Commissioner Vince Howell asked what was the score on the Housing Assessment report. Finance Specialist, Natasha Martinez-Padilla stated, 73 was the HA's most recent score. On the Management score, due to vacancies, the HA lost about 15 points on the Management side, and another 5 points and for Occupancy for

the Capital Fund side. She stated she believes the HA lost 20 points and another 7 points in the physical inspection. Commissioner Howell asked if the HA is in Troubled Status. Mrs. Martinez-Padilla stated no, we are Substandard Performers. She stated it will help our scores once we get more units back online, as well as the De Minimis Project. As soon as the HA can take those 5 units offline, that will really help our occupancy as well as getting the 8 units planned to be put back online.

Interim City Manager, Ann Marie Gallegos addressed the Commission stating she has been in touch with Mandy Griego from HUD and stated that they are working toward the February 28<sup>th</sup> deadline. She stated that at some point, Ms. Griego would like to come in and address the Commission as well. She stated it would be a recommendation by Madam Chair Gurulé-Girón and the Commissioners as to when they would like to see her. Interim City Manager Gallegos stated that Ms. Griego would like to see the policies and procedures submitted. She stated she met with HA staff and took care of some of the other findings that Finance was able to manage.

Commissioner Barbara Casey inquired if the HA has these findings that have already been worked on and the ones that are on the Agenda for next week for approval. Interim Director Padilla stated, yes.

Interim City Manager Gallegos stated she and Finance met with Housing and Finance has taken care of Findings, numbers 3, 5, 6, 7, 9, and 10. She stated they have been sending all of that information over to Housing so they can incorporate it into one Policy Binder. She stated she will meet again with Housing Staff next week to see what more needs to be done. Mrs. Gallegos stated she feels the Housing Authority will meet the deadline.

#### **ADJOURN**

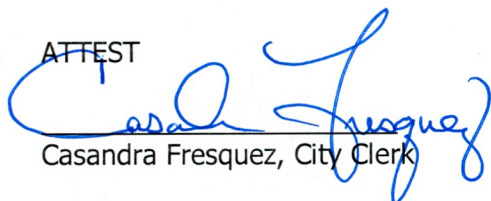
Commissioner Barbara Casey made a motion to adjourn the meeting. Commissioner David Romero seconded the motion.

Madam Chair Gurulé-Girón asked for a roll call. Roll call was taken and reflected the following.

Commissioner Barbara Casey	Yes
Commissioner Ember Davis	Yes
Commissioner David Romero	Yes
Commissioner Vince Howell	Yes
Commissioner David Ulibarri Jr.	Yes

Barbara Padilla re-read the motion and advised the motion carried.

  
Madam Chair Tonita Gurulé-Girón

ATTEST  
  
Casandra Fresquez, City Clerk